

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

July 21, 2003  
8:00 p.m.

Council Chambers  
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Degginger, and Councilmembers Creighton, Davidson, Lee, and Noble

ABSENT: Councilmember Mosher

1. Call to Order

The meeting was called to order at 8:04 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers except Mr. Mosher were present. Mr. Creighton led the flag salute.

(a) Proclamation of August 3 as National KidsDay in Bellevue

Mayor Marshall read a proclamation declaring August 3 as National KidsDay in Bellevue. Bellevue Boys and Girls Club *Youth of the Year* honorees received the proclamation.

3. Communications: Written and Oral

- (a) Michael Sarrafan recalled that he spoke to Council on June 23 regarding a neighbor's 55-foot HAM radio antenna, which is interfering with his television and cell phone reception. He thanked Carol Helland, Land Use Director, for keeping in touch with him since that time. He said the antenna is interfering with his rights as a citizen and damaging his property value.
- (b) Olemara Peters commented on the siting of wireless communications facilities. She donated a copy of a video titled *Public Exposure* that demonstrates the dangers of radio frequency emissions. She explained that cell phone production depends on capacitors made from a metal, tantalum, which is mined in the mountain gorilla's habitat.

- (c) Victor Calvo, an antique store owner in Bellevue, asked Council to consider changing the sign code to grant estate sale signs the same rights allowed for real estate signs.
- (d) Elizabeth Freeman, a naturopath physician, described patients who are electromagnetically hypersensitive. She explained that Sweden has relatively high levels of radiation due to technology, and two percent of the population (180,000 people) are considered hypersensitive to electromagnetic emissions. She noted that local government is the only entity with some influence in determining where cell towers are placed. She said the incidence of brain tumors has increased by 25 percent since 1975 in the United States, and by 300 percent worldwide.

4. Reports of Community Councils, Boards and Commissions: None.

5. Report of the City Manager

Deputy City Manager Ed Oberg referenced the memo on page 5-1 of the packet regarding the NE 29<sup>th</sup> Place Connection Project. On July 15, the City issued a notice to the contractor, Marshbank Construction, to cease work on the project. Unforeseen technical issues have made it necessary to re-bid the project, which will occur as quickly as possible. The anticipated completion date is late 2005, approximately six months later than originally planned.

Mr. Oberg noted the management brief on page 5-3 of the packet regarding the regulation of amateur/HAM radio equipment. Mayor Marshall indicated that Council will discuss the issue soon when it addresses regulations for wireless communications facilities.

Mr. Oberg announced that the final paving of Richards Road has been delayed until approximately July 28 due to a scheduling conflict between the paving contractor and the road construction contractor. The paving will take about 10 days to complete.

At Mr. Oberg's request, Police Chief Jim Montgomery provided a preview of the FBI's 2002 Uniform Crime Report statistics, which will be released this fall. Nationally, Part 1 crimes (crimes against persons) decreased 0.2 percent compared to 2001, violent crime decreased by 1.4 percent, and property crimes have remained flat between 2001 and 2002. In the west, overall crime increased by nearly 3 percent and property crimes increased by 3.4 percent. In Bellevue, Part 1 crimes decreased by 0.5 percent and auto thefts increased by 1.1 percent. Chief Montgomery feels the numbers are encouraging, particularly in light of the economic downturn and unemployment figures in Washington.

6. Council Business

Councilmember Lee attended a meeting of the King County Regional Transit Committee to ask them to consider implementing a free-ride zone in downtown Bellevue.

Deputy Mayor Degginger reported that several 50Fest neighborhood celebrations were held over the weekend. He invited the public to the 50Fest community festival on July 31, 4:00-8:00 p.m.,

at Lake Hills Shopping Center. Mr. Degginger recently attended several regional water-related meetings on behalf of the Council.

Dr. Davidson attended a Bellevue Art Museum event and a picnic and concert at Bellevue Botanical Garden. He attended a meeting of the Seattle Water Purveyors Committee.

Mr. Creighton invited the public to the West Lake Sammamish Parkway Open House (4:00-7:30 p.m.) and barbeque (5:30-6:30 p.m.) on July 22 at Vasa Park.

Mr. Noble attended meetings of the Trans-Lake Washington (SR 520) Executive Committee and Eastside Transportation Partnership.

Mayor Marshall attended meetings of the I-90 Committee and the Trans-Lake Washington Executive Committee.

7. Approval of the Agenda

- ➡ Deputy Mayor Degginger moved to approve the agenda, and Mr. Noble seconded the motion.
- ➡ The motion to approve the agenda carried by a vote of 6-0.

8. Consent Calendar

- ➡ Deputy Mayor Degginger moved to approve the Consent Calendar, and Mr. Lee seconded the motion.
- ➡ The motion to approve the Consent Calendar carried by a vote of 6-0, and the following items were approved:
  - (a) Minutes of June 30, 2003 Special Meeting  
Minutes of July 1, 2003 Special Meeting  
Minutes of July 7, 2003 Regular Session
  - (b) Motion to approve payment of claims for the period ending July 10, 2003, and payroll for the period June 16 through June 30, 2003.
  - (c) Resolution No. 6875 authorizing the City Manager to execute an amendment to the professional services agreement with Cabot Dow for support of Labor Relations functions.
  - (d) Resolution No. 6876 authorizing the City Manager to extend an existing agreement with Moos Database Services, LLC, for database consulting services, including administration of existing databases and implementation of new ones, for three months while a competitive Request for Proposals (RFP) is completed.

- (e) Resolution No. 6877 authorizing the City Manager to execute an amendment to the Jail Services Agreement with the City of Issaquah to provide jail facilities for Bellevue misdemeanor prisoners on an ongoing basis.
  - (f) Resolution No. 6878 authorizing the City Manager to execute an agreement with Puget Sound Energy (PSE) to modify, remove, and relocate the existing electrical facilities for CIP Plan No. PW-R-107, 156<sup>th</sup> NE (NE 8<sup>th</sup> Street to Northup Way).
  - (g) Resolution No. 6879 authorizing the City Manager to execute an amendment to extend the Interlocal Agreement for Washington City and County Pipeline Safety Consortium.
  - (h) Motion to award Bid No. 0302 for the installation of an underground fuel storage tank at Bellefield Sewer Pump Station located at 1400 – 12<sup>th</sup> Avenue SE, to Glacier Environmental Services, Inc. as the low bidder, in the amount of \$58,909.09. (CIP Plan No. S-32) *(Removal and replacement of the existing fuel storage tank at this site will complete the City's fuel storage tank replacement program mandated by EPA and DOE to protect the nation's groundwater.)*
  - (i) Motion to award Bid No. 0321 for Pump Station #12 pump replacement and odor abatement to Harbor Pacific Contractors, Inc. of Woodinville, Washington, as low bidder in the amount of \$313,888. (CIP Plan No. S-16, Utility Capital Investment Program Fund 4690)
  - (j) Motion to award Bid No. 0325 for Meydenbauer Reservoir replacement project to SCI-Skaar Construction Inc. of Auburn, Washington, as low bidder in the amount of \$3,035,687.55. (CIP Plan No. W-85, Utility Capital Investment Program Fund 4690)
  - (k) Ordinance No. 5457 amending the Bellevue Land Use Code to include regulations for essential public facilities, including solid waste handling facilities; repealing Ordinance No. 5453; amending Sections 20.10.440, 20.20.520.F.2.b, 20.25H.080.B, 20.25L.020, and 20.50.018 of the Bellevue Land Use Code; creating new Sections 20.20.350 and 20.20.820 in the Bellevue Land Use Code; and establishing an effective date.  
*(This ordinance repeals Ordinance No. 5453 adopted July 7, 2003, relating to essential public facilities and replaces it in its entirety to correct inadvertent errors in the numbering of footnotes in Section 20.10.440.)*
9. Public Hearings: None.
10. Land Use: None.
11. Other Ordinances, Resolutions and Motions

- (a) Resolution No. 6880 authorizing the City Manager to enter into agreements for the funding of affordable housing projects as recommended by A Regional Coalition for Housing (ARCH) Executive Board, utilizing funds from the City's Operating Grants and Donations Fund and from the City's Housing Fund.

Art Sullivan, Director of A Regional Coalition for Housing (ARCH), noted packet materials providing 2003 Housing Trust Fund recommendations by the ARCH Executive Board. Three projects are recommended for funding: 1) Acquisition and rehabilitation of an 18-unit complex (Chalet Apartments) near Bellevue Community College by St. Andrew's Housing Group, 2) New construction of 50 units, known as the East Village at Talus project, by St. Andrew's Housing Group, and 3) The ADU-SN Demonstration Program, a pilot loan program to encourage homeowners to develop an accessory dwelling unit (ADU) for rent to a person with a mental illness or physical disability.

Mr. Lee expressed support for the ADU pilot program. He is concerned about the estimated cost to rehabilitate the Chalet Apartment units, however. Mr. Sullivan said the Executive Board recommends partial funding at this time and that St. Andrews continue to further refine the rehabilitation and overall project costs.

☞ Deputy Mayor Degginger moved to approve Resolution No. 6880, and Mr. Noble seconded the motion.

☞ The motion to approve Resolution No. 6880 carried by a vote of 6-0.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New business: None.

15. Executive Session: None.

16. Adjournment

At 8:46 p.m., Mayor Marshall declared recess to return to the Study Session.

Myrna L. Basich  
City Clerk

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